

REMARKS

Claims 2-12, 15-22 and 26-51 are pending in the present application. Claims 3-11, 16-22 and 47-49 have been withdrawn from consideration. By virtue of this response, claims 30-32 have been cancelled; claims 2, 12, 27-29, 33, 34, 36, 37, 39, 40, 45, and 46 have been amended; and new claims 52-55 have been added. Accordingly, claims 2, 12, 15, 26-29, 33-46, and 50-55 are currently under consideration. Support for new claims 52-55 is found in the specification, *inter alia*, in paragraph [0028]. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Telephone Interview

Applicants thank Examiner Anne L. Holleran for extending the courtesy for a telephone interview on October 10, 2007, with Carolyn Adler, Jennifer Cheng, and Applicants' representative Jie Zhou, and for providing helpful suggestions. The claim amendments were discussed, and are reflected in this response.

Claims 47-49

The Examiner states that claims 47-49 have been drawn to non-elected invention and are withdrawn from consideration. Applicants respectfully request rejoinder of claims 47-49 in the instant application.

Claim Objections

Claims 30-32 are objected to under 37 CFR 1.75 (c), as allegedly being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicants respectfully note that claims 30-32 have been canceled. Thus, this objection is rendered moot. Applicants respectfully request that this objection be withdrawn.

Claim 2 is objected to because it is drawn to an antibody of claim 52 and there is no claim 52.

Applicants respectfully note that claim 2 has been amended to depend from claim 50. In view of the amendment, Applicants respectfully request that this objection be withdrawn.

Claim 34 is objected to because there is a period after “26” instead of a comma.

Applicants respectfully note that claim 34 has been amended to replace the period with a comma. In view of the amendment, Applicants respectfully request that this objection be withdrawn.

Claim Rejections – 35 U.S.C. § 112

A. Claims 27-29, 33-46 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner states that claims 27-29, 33, 37 and 40 are indefinite because of the phrase “or retains” with respect to the binding specificity.

Applicants respectfully note that claims 27-29, 33, 37, and 40 have been amended to delete the term “or retains”. Applicants respectfully request that this rejection be withdrawn.

The Examiner states that claim 27 is indefinite because of the phrase “said antibody”, and there are two antibodies referred to, the chimeric antibody and the human antibody.

Applicants respectfully note that claim 27 has been amended to recite “said chimeric antibody”. Applicants respectfully request that this rejection be withdrawn.

The Examiner states that claim 28 is indefinite because of the phrase “said antibody”, and there are two antibodies referred to, the humanized antibody and the human antibody.

Applicants respectfully note that claim 28 has been amended to recite “said humanized antibody”. Applicants respectfully request that this rejection be withdrawn.

The Examiner states that claims 27-29, 33, 37, and 40 are indefinite because the indefinite article is used instead of the definite article.

Applicants respectfully note that claims 27-29, 37, and 40 have been amended to change the indefinite article to the definite article. However, Applicants respectfully note that the definite article was used in claim 33. Accordingly, Applicants respectfully request that this rejection be withdrawn.

B. Claims 30-32 are rejected under 35 U.S.C. §112, first paragraph. The Examiner states that the specification, while being enabling for the specific monoclonal antibody, PIP, which is secreted by the hybridoma cell line ATCC No. PTA-4220, does not reasonably provide enablement for any antibody that binds to “PIPA”, and antigen that is characterized only by name and as a GPI-linked cell surface protein having a molecular weight 45-50 kD, or for a heavy chain of the antibody PIP, for a light chain of the antibody PIP, or for a light chain comprising the three CDRs of a heavy chain of the antibody PIP. The Examiner further states that the specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims.

Applicants respectfully note claims 30-32 have been canceled. Thus, this rejection is rendered moot. Applicants respectfully request that this rejection be withdrawn.

C. Claim 12 is rejected under U.S.C. §112, first paragraph. The Examiner states that the specification, while being enabling for pharmaceutical composition comprising the specific antibody secreted by the hybridoma, ATCC No. PTA-4220, wherein the antibody is conjugated or bound to a therapeutic agent or toxin, does not reasonably provide enablement for pharmaceutical composition comprising any antibody to PIPA or comprising the specific antibody secreted by the hybridoma wherein the specific antibody is not conjugated or bound to a therapeutic agent or toxin.

Applicants respectfully note that claim 12 has been amended to recite that the antibody is linked or bound to an additional therapeutic moiety. Applicants respectfully submit that claim 12 as amended is enabled, and the Examiner has acknowledged this.

In view of the foregoing, Applicants respectfully request that the rejections under U.S.C. §112 be withdrawn.

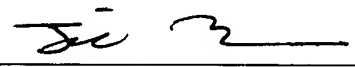
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 415072002300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 11, 2007

Respectfully submitted,

By 
Jie Zhou

Registration No.: 52,395
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5922